

Compliance Assistance Conclusion Data Sheet (CACDS)
for Compliance Assistance (CA) Facility Visits

Form tracking number _____

Demographics

Facility primary NAICS: _____ Facility secondary NAICS: _____

Check all that apply (The assistance provider must make a determination of whether or not the entity is a small business or small community.)

- ☐ Business ☒ **Government** ☐ Non-governmental entity* (Choose one)
- ☐ Small business*
(100 or fewer employees)

☐ Small community*
(3,300 or fewer residents)
- ☐ Facility in Indian Country*

☐ EJ community*

☒ **Federal facility**

☐ Other (describe) _____

EPA Information

Region 7

Office/Division ENSV/EFCB

Name of CA provider(s) David N. Whiting

Phone #(s) 319-887-2618

Number of hours spent 7

Contract or Grant \$ spent _____

Program Information

Federal Statute(s)/Section(s) addressed:(check all statutes that apply and write in section(s) after statute)

- ☐ CAA _____
- ☐ OPA _____
- ☐ TSCA _____
- ☐ CWA _____
- ☐ EPCRA _____
- ☐ SDWA _____
- ☐ FIFRA _____
- ☒ **RCRA** 261, 262, 265, 268, 273, 279, _____
- ☐ other _____
- ☐ Executive Order 13101 Section 403

Activity Information

Date of visit 11/30/2006

Activities conducted (check all that apply)

- ☒ **Deliver general CA materials**
- ☐ Pollution prevention (P2) assessment*
- ☐ Provide site specific information and assistance
- ☐ Environmental management review (EMR)
- ☐ Piloting a tool
- ☐ CA revisit
- ☐ Conduct baseline
- ☐ Compliance Review under small business policy
- ☐ Voluntary Program (specify) _____

Areas for Improvement Identified

Were any areas for improvement identified? Yes ☐ No ☐

If yes, please identify the area(s) (check all that apply and provide information on which

* See Definitions in the Instructions



regulations and pollutants were identified e.g., NSPS Subpart J, SO₂)

- | | |
|---|--|
| <input type="checkbox"/> Unaddressed releases _____ | <input type="checkbox"/> P2 (e.g., SWPPP) _____ |
| <input type="checkbox"/> Reporting _____ | <input type="checkbox"/> Best practices _____ |
| <input type="checkbox"/> Record Keeping _____ | <input type="checkbox"/> EMS _____ |
| <input type="checkbox"/> Sampling/Monitoring _____ | <input type="checkbox"/> Practice/Process change _____ |
| <input type="checkbox"/> Permitting _____ | |

RCRA – 1) Posting all emergency information; 2) Marking containers “used oil”. _____

If site specific information and assistance were provided as indicated in the Activity Information section, which area(s) were covered? (check all that apply and provide information on which regulations and pollutants were addressed e.g., NSPS Subpart J, SO₂)

- | | |
|---|--|
| <input type="checkbox"/> Unaddressed releases _____ | <input type="checkbox"/> P2 (e.g., SWPPP) _____ |
| <input type="checkbox"/> Reporting _____ | <input type="checkbox"/> Best practices _____ |
| <input type="checkbox"/> Record Keeping _____ | <input type="checkbox"/> EMS _____ |
| <input type="checkbox"/> Sampling/Monitoring _____ | <input type="checkbox"/> Practice/Process change _____ |
| <input type="checkbox"/> Permitting _____ | |

Follow-up

How do you plan to follow-up the visit?

- | | | |
|--------------------------------------|---|---|
| <input type="checkbox"/> Survey | <input type="checkbox"/> Inspection | <input type="checkbox"/> Emergency Order |
| <input type="checkbox"/> Revisit | <input checked="" type="checkbox"/> Self reporting/self certification | <input type="checkbox"/> No follow-up planned |
| <input type="checkbox"/> Other _____ | | |

Outcomes*

Changes in understanding

Did the regulated entity increase its understanding of environmental requirements as a result of the visit? Yes ☐ No ☐

Behavioral Changes

Did the regulated entity take any action to make improvements as a result of the visit?

Yes ☐ No ☐

(If yes check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Improved record keeping | <input type="checkbox"/> Improved management practices/procedures |
| <input type="checkbox"/> Improved monitoring | <input type="checkbox"/> Implemented new management practices/procedures |
| <input type="checkbox"/> Completed a notification or report | <input type="checkbox"/> Improved pollutant identification (e.g., labeling) |
| <input type="checkbox"/> Requested a permit application | <input type="checkbox"/> Other _____ |

Did the regulated entity commit to:

Make improvement(s)? ☐

Report results of action(s) taken? ☐

Pollutant Reductions

Will the regulated entity reduce, treat or eliminate pollution as a result of any action(s) taken?

Yes ☐ Yes but cannot estimate ☐ No ☐ Unknown without follow-up ☐

If yes, what are the pollutants and estimated pollutant reductions from the action(s) taken?

Other outcomes

Are there other measurable benefits or outcomes from the actions taken (risk reduction from chemical substitution, acres of wetlands protected, etc.)?

Yes ☐ Yes but cannot estimate ☐ No ☐ Unknown without follow-up ☐

If yes, describe: _____

(The Case Conclusion Data Sheet training booklet may be of assistance in estimating pollutant and risk reductions)

Will there be a cost savings to the regulated entity as a result of the visit?

Yes ☐ No ☐ Unknown ☐

(explain) _____

Facility Information **

Company Name USDA-FSIS-OPHS Facility Name USDA-FSIS Midwestern Lab

Midwestern Laboratory _____ Contact Name Kathleen Holland

Address 4300 Goodfellow Boulevard Building Phone # (314) 263-2680

105-D _____

Lat/Long 38.689550 / -90.26501

General facility ID # (if not available then any applicable permit number(s)) MO6123790002

** Facility information should be completed for program management purposes and in cases where Regions expect follow-up activity. However, Regions that wish to have the site remain anonymous can use the company name only or some other identifier on the company name line but must still retain records of the actual facility that was visited.

Instructions/Definitions:

Other Regional forms may be submitted as long as they collect at least equivalent information.

The form should be filled out as completely as possible. The information captured by this form is critical to determining the effectiveness of providing compliance assistance. This form is **not** to be used when conducting an inspection and compliance assistance is ancillary to compliance monitoring.

Form tracking number: This space was provided at the request of Region(s) that may want to tie a form number instead of

Demographics

Business: Profit or nonprofit enterprise or organization

Government: Federal, State, Tribal, local government services

Non-governmental entity: This may be regulated entities such as a community public water system operated by the owner of a trailer park, community school, etc.

The assistance provider must make a determination of whether or not the entity is a small business or small community.

SBREFA and SBPRA: Under SBREFA and SBPRA, EPA is required to identify all enforcement and compliance activities related to small entities.

Small Entities as defined under SBREFA include small businesses, small governments and small organizations.

Small business is defined as: a small business or entity that employs 100 or fewer individual (across all facilities and operations owned by the business). The numbers of employees should be considered as full time equivalents (2000 hours per year of employment).

Small Community is defined as: communities generally comprised of 3,300 or fewer residents that are: non-profit; governing entities (incorporated or unincorporated) and; that own facilities that supply municipal services).

Indian country is that part of the United States set aside for Indian nations. A formal definition is found at 18 United States Code §1151. For assistance, contact your Regional Tribal Enforcement Coordinator and Regional Indian Coordinator.

EJ community is defined as: a community which experiences a disproportionate amount of negative health and/or environmental hazards due to race, color, national origin, or income level of the residents.

Voluntary Program is defined as: an EPA, State or EPA/State program that uses innovative approaches to to, improve environmental performance and, at a minimum, gets regulated entities into compliance, beyond compliance and/or improves environmental management practices.

This includes, for example, EMS programs, Performance Track, Assessments, etc.

EPA Information

Hours and contract or grant dollars spent: Estimate the hours spent in preparation for the on-site visit, travel for the visit, the visit itself and any follow-up activities directly related to the visit. If the on-site visit is part of a series of visits/inspections, try to apportion the hours spent accordingly. Remember, this is just an estimate but try to including the range of activities related to the on-site visit. If a Region is using a contractor or grant to provide compliance assistance facility visits, please estimate, if possible, the contract or grant dollars related to the visit using the above criteria.

Program Information

In order to provide useful information for program management, this section should be filled out as completely as possible including Statute, section of statute and regulatory citation. For example, petroleum refineries may be subject to a number of NSPS, NESHAP and MACT air regulations. A particular on-site facility visit to a refinery may be focused on compliance with NSPS Subpart J. The information should be recorded as a check in the CAA box and Section 111 NSPS Subpart J entered on the line.

Activity Information

Again, for program management purposes the section should be filled out as completely as possible. Using the above refinery example for where compliance assistance was offered for all of NSPS subpart J but only unaddressed particulate matter releases from a fluid catalytic cracking unit catalyst regenerator were identified, one would record the information as follows: check the unaddressed releases box and enter NSPS Subpart J particulate matter.

Pollution prevention assessment cannot be the sole purpose of the facility visit to receive credit as a compliance assistance visit.

Outcomes

Outcomes are separated into changes in understanding, behavioral changes and pollutant reductions in order to match EPA's Strategic Plan Goal 5 sub-objective measures for compliance assistance (included below). "Other Outcomes" was added to the form to ensure that the complete benefits of an on-site compliance assistance visit are captured since outcome information is also important for program management purposes.

If multiple areas for improvement are identified (e.g., record keeping for multiple regulations needed to be improved) it will be assumed that if behavioral changes are observed, all areas were improved unless specified differently on the line provided.

There are a number of ways outcomes can be determined. Outcomes may be identified at the time of the visit, or through a follow-up activity. For example outcomes can be determined through observation of actions at the time of the facility visit (i.e., facility personnel placing labels on previously unlabeled drums of hazardous waste), asking questions to determine whether or not there was an increase in understanding, getting commitment from facility personnel for

improvement that could not be made at the time of the facility visit etc. If commitments are made, an effort should be made to document those changes (i.e., the regulated entity submits an updated EMS addressing identified areas for improvement or the Region performs a facility revisit). Additionally, where no commitments are made (or to verify completion of commitments), follow-up activities such as a surveys, revisits or regulated entity self-reporting may be appropriate.

Changes in understanding: Changes in understanding can be determined by specifically asking the facility personnel if their understanding of environmental requirements has improved, through visual observation of behavioral changes or based upon conversation with facility personnel which indicates that they have increased their understanding of environmental requirements. If the "yes" box has been checked in the behavioral change or pollutant reduction section(s) then the "yes" box should also be checked in this section.

Behavioral changes: If areas for improvement are identified and assistance is given then the assistance provider should record any behavioral changes as a result. If changes were not observed during the site visit, then the provider may choose to ask for a commitment to change behavior in the future. It is expected that some subset of assistance efforts will receive follow-up to determine if changes have been made since the visit and/or to determine if changes made as a result of the visit are ongoing/long term changes.

Pollutant reductions: Estimated pollutant reduction may be determined by asking questions to determine what estimated reductions will result from anticipated changes, or from follow-up activities (i.e., surveys, revisits or regulated entity self-reporting estimated or measured pollution reductions). (The Case Conclusion Data Sheet training booklet or Guidance on Preventative Measures may be of assistance in estimating pollutant and risk reductions)

EPA Strategic Plan Goal 5

Sub-objective 5.1.1: Compliance Assistance. By 2008, prevent noncompliance or reduce environmental risks through EPA compliance assistance by achieving: a 5 percentage point increase in the percent of regulated entities that improve their understanding of environmental requirements; a 5 percent increase in the number of regulated entities that improve environmental management practices; and a 5 percentage point increase in the percent of regulated entities that reduce, treat, or eliminate pollution. (Baseline to be determined for 2005.)